

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Joseph Anthony Washington,

Civil No. 08-1471 (DWF/JSM)

Petitioner,

v.

ORDER

Joan Fabian, Commissioner, Minnesota
Department of Corrections,

Respondent.

Joseph Anthony Washington, *Pro Se*, Petitioner.

Peter R. Marker, Assistant Attorney General, Minnesota Attorney General's Office,
counsel for Respondent.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated June 2, 2008. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records and proceedings herein, now makes and enters the following Order.

IT IS HEREBY ORDERED:

1. Petitioner's application for a writ of habeas corpus, (Doc. No. 1), is **DENIED**.
2. Petitioner's application for leave to proceed *in forma pauperis*, (Doc. No. 2), is **DENIED**.

3. This action is summarily **DISMISSED WITHOUT PREJUDICE**.

Dated: June 20, 2008

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court